

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----	X	
OPERA SOLUTIONS LLC,	:	
OPSAL GLOBAL LTD.,	:	
and OPERA SOLUTIONS SHANGHAI LTD.,	:	
	:	
Plaintiffs,	:	Civil Action No. 08 CV 03284
	:	(HB)(THK)
- against -	:	
	:	
XIAODONG YAN, XDIYAN, LLC,	:	NOTICE OF MOTION
DIA ASSOCIATES, LLC, IVO NIKOLOV and	:	TO DISMISS PURSUANT
ANDREY S. KULJIEV,	:	TO F.R.C.P 12(b)(1)
	:	
Defendants.	:	
-----	X	

PLEASE TAKE NOTICE that upon the annexed affirmation of Marjorie E. Berman, affirmed on May 8, 2008, and upon the exhibits attached thereto, the Affidavit of Andrey S. Kuljiev, sworn to May 8, 2008, the Accompanying Memorandum of Law in support of this motion, and the pleadings herein, defendants will move this Court, before the Honorable Harold Baer, Jr., for an order pursuant to F.R.C.P. 12(b)(1) dismissing the Complaint, for lack of subject matter jurisdiction.

Dated: New York, New York
May 8, 2008

KRANTZ & BERMAN LLP

By: Marjorie E. Berman
Marjorie E. Berman
747 Third Avenue, 32nd Floor
New York, New York 10017
(212) 661-0009

Attorneys for Defendants

To: Mitchell Fishberg, Esq.
Thelen Reid Brown Raysman & Steiner LLP

185 Asylum Street
City Place II, 10th Floor
Hartford, CT 06103
(By ECF)